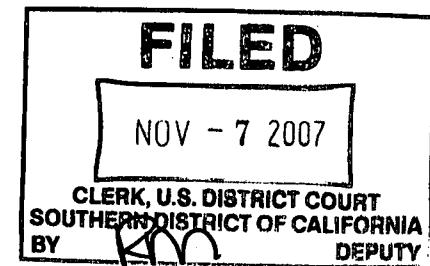


2254	✓	1983
FILING FEE PAID		
Yes	✓	No
I/P MOTION FILED		
Yes	✓	No
COPIES SENT TO		
Court	✓	ProSe



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

10 Petitioner:

11 James Robert Barkacs

12
13 D. Adams
14 (WARDEN)

v.

15 Respondent:

16 '07 Civil No 2139 JAH WMC

17 REQUEST FOR APPOINTMENT OF
18 COUNSEL UNDER THE CIVIL RIGHTS
19 ACT OF 1964; 42 U.S.C. 2000e 5(f)(1);
20 DECLARATION IN SUPPORT OF
21 REQUEST

22 1. I, the plaintiff in the above-entitled employment discrimination action, request that the
23 court appoint an attorney to represent me in this matter. In support of this request, I state as follows:

- 24 (A) my claim is meritorious (that is, I have a good case), and
- 25 B. I have made a reasonably diligent effort to obtain counsel, and
- 26 (C) I am unable to find an attorney willing to represent me on terms that I can
afford.

27 2. A copy of the Notice-of-Right-to-Sue-Letter I received from the Equal Opportunity
28 Commission is attached to the complaint which accompanies this request for counsel.

29 3. A. Does the Notice-of-Right-to-Sue-Letter show that the Commission found "no
30 reasonable cause" to believe the allegations made in your charge were true?

31 Yes _____ No _____

1 IF YOUR ANSWER IS "YES," YOU MUST ATTACH A COPY OF THE
2 COMMISSION'S INVESTIGATIVE FILE TO THIS REQUEST AND ANSWER QUESTIONS B
3 AND C.

4 B. Do you question the correctness of the Commission's "no reasonable cause"
5 determination?

6 Yes No

7 C. If you answered "yes" to question 3B, what are your reasons for questioning the
8 Commission's determination? Be specific and support your objections with fact. Do not simply
9 repeat the allegations made in your complaint; the court will review your complaint in considering this
10 request for counsel.

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28 (Attach additional sheets as needed)

1 4. Have you talked with any attorney about handling your claim?

2 _____ Yes No

3 If "YES," give the following information about each attorney with whom you talked:

4 Attorney: _____

5 When: _____

6 Where: _____

7 How (by telephone, in person, etc.): _____

8 Why attorney was not employed to handle your claim: _____

9 _____

10 _____

11 _____

12 Attorney: _____

13 When: _____

14 Where: _____

15 How (by telephone, in person, etc.): _____

16 Why attorney was not employed to handle your claim:

17 _____

18 _____

19 _____

20 Attorney: _____

21 When: _____

22 Where: _____

23 How (by telephone, in person, etc.): _____

24 Why attorney was not employed to handle your claim:

25 _____

26 _____

27 _____

28 (Attach additional sheets as needed)

1 5. Explain any other efforts you have made to contact an attorney to handle your claim:

2 I have made no efforts to contact an attorney to
3 represent me in federal Court. I do not know any attorneys
4 that do pro bono work. I do not have proper funds to
5 pay an attorney to appeal an Lwop case.

6 6. Give any other information which supports your application for the court to appoint an
7 attorney for you: I know Counsel should be appointed due to the
8 complexity of the issues set forth in my Habeus
9 petition. At first sight my petition shows a real possibility
10 of federal Constitutional error. My ability to articulate
11 the issues are poor. Because my sentence Lwop, age, time
12 constraints, access to law library, little intelligence concerning
13 the law. ~~the~~ Counsel must be appointed to afford due process
14 14th amendment

15 7. Give the name and address of each attorney who has represented you in the last 10 years

16 for any purpose: Gilbert Newton - arraignment, plea, preliminary
17 hearing. 133 W. Lexington Ave.

18 El Cajon, CA 92020

19 David Rawson - Trial
20 410 S. Melrose Dr. Suite 218
21 Vista, CA 92081

22 Nancy J. Wino - appeal
23 1100 Sixth Ave. Suite 210c
24 San Diego, CA 92101
25 (Attach additional sheets as needed)

26 Any other attorneys
27 unknown as name,
28 address, hearings, matters,
etc.

29 8. I cannot afford to obtain a private attorney. The details of my financial situation are listed
30 below:

31 A. Employment

32 Are you employed now? yes no am self-employed

33 Name and address of employer:

34

35

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38

1 (ii) Cash

2 Have you any cash on hand or money in savings or checking accounts? yes ____ no

3 If "YES," state total amount 1,585.31

4 (iii) Property

5 Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property
6 (excluding ordinary household furnishings and clothing)? ____ yes no

7 If "YES," give value and describe it:

	<u>Value</u>	<u>Description</u>
9		
10		
11		
12		
13		
14		

15 C. Obligations and Debts

16 (i) Dependents

17 Your marital state is: single ____ married ____ widowed, separated or divorced.

18 Your total number of dependents is: _____

19 List those person you actually support, your relationship to them, and your monthly
20 contribution to their support: NA

	<u>Name/Relationship</u>	<u>Monthly Support Payment</u>
22		
23		
24		
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27		
28		

(ii) Debts and Monthly Bills

List all creditors, including banks, loan companies and charge accounts, etc.

<u>Creditor</u>	<u>Total Debt</u>	<u>Monthly Payment</u>
Rent:		
Mortgage		
on Home:		
Others: Parolees Inmates	Restitution is 55% of money sent to inmates.	
	1,059	
	beginning	
	Current Restitution	
	1,009.05	

9. Signature

I declare under penalty of perjury that the above is true and correct.

Dated: 10/30/07



Signature

(Notarization is not required)